



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

*Promoting the wise use of land  
Helping build great communities*

MEETING DATE September 1, 2006 LOCAL EFFECTIVE DATE September 15, 2006 APPROX FINAL EFFECTIVE DATE October 6, 2006	CONTACT/PHONE Ryan Hostetter 788-2351	APPLICANT Gail Robinette	FILE NO. DRC2006-00003
<b>SUBJECT</b> Request by Gail Robinette for a Minor Use Permit/Coastal Development Permit to allow the demolition of the existing residence, and vegetative restoration of the property after demolition. The proposed project is within the Residential Single Family land use category and is located at 2365 Adams St in the community of Cambria. The site is in the North Coast planning area.			
<b>RECOMMENDED ACTION</b> Approve Minor Use Permit/Coastal Development Permit DRC2005-00244 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION</b> A Class 1 Categorical Exemption was issued on August 9, 2006 (ED06-051).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Terrestrial Habitat, Local Coastal Program	ASSESSOR PARCEL NUMBER 023-383-036	SUPERVISOR DISTRICT(S) 2
<b>PLANNING AREA STANDARDS:</b> None applicable <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
<b>LAND USE ORDINANCE STANDARDS:</b> Local Coastal Program and Terrestrial Habitat <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
<b>FINAL ACTION</b> This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

EXISTING USES: Residential Single Family Home which has been red-tagged for safety.	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residential <i>East:</i> Residential Single Family/residential <i>South:</i> Residential Single Family/residential <i>West:</i> Residential Single Family/residential	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: The project was referred to: North Coast Advisory Council, Public Works, Cambria Community Services District, and the California Coastal Commission	
TOPOGRAPHY: Moderately Sloping	VEGETATION: Cambria Pines, grasses, and ornamental vegetation
PROPOSED SERVICES: Water supply: CCSD Sewage Disposal: CCSD Fire Protection: Cambria Fire	ACCEPTANCE DATE: August 2, 2006

#### PLANNING AREA STANDARDS

None applicable because the project includes demolition of an existing damaged structure that was damaged because of fallen trees due to bad weather. The home has been red-tagged and is required to be demolished by County Code Enforcement.

#### LAND USE ORDINANCE STANDARDS:

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

COASTAL PLAN POLICIES: This project is in compliance with the Coastal Plan Policies, the most relevant policies are discussed below.

#### **Coastal Watersheds:**

*Policy 8: Timing of new construction: The proposed project is consistent with this policy because if grading is to occur or left unfinished between October 15 through April 15 the project is required to have an erosion and sedimentation control plan and all sedimentation and erosion control measures will be in place before the start of the rainy season.*

#### **Hazards:**

*Policy 2: Erosion and Geologic Stability: The proposed project is consistent with this policy because it is designed to ensure structural stability while not creating or contributing to erosion of geological instability.*

#### **Environmentally Sensitive Habitats:**

*Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: The proposed project is consistent with this policy because it will not significantly disrupt the habitat and tree removal and site disturbance have been minimized. There is no tree removal proposed with this project.*

*Policy 2: Permit Requirement: The proposed project is consistent with this policy because there will be no significant impact on sensitive habitats and proposed development will be consistent with the biological continuance of the habitat.*

*Policy 3: Habitat Restoration: The proposed project is consistent with this policy because if removed, Monterey Pine trees will be replaced on a two-to-one basis and Coast Live Oak trees will be replaced on a four-to-one basis, however there is no tree removal proposed with this project.*

*Policy 27: Protection of Terrestrial Habitats: The proposed project is consistent with this policy because the project does not propose to remove sensitive vegetation.*

*Policy 28: Protection of Native Vegetation: The proposed project is consistent with this policy because tree removal and site disturbance have been minimized. If trees are removed, Monterey Pine trees will be replaced on a two-to-one basis and Coast Live Oak trees will be replaced on a four-to-one basis.*

*Policy 33: Protection of Vegetation: The proposed project is consistent with this policy because site disturbance have been minimized through project design.*

***Does the project meet applicable Coastal Plan Policies:*** Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: None received as of August 9, 2006

AGENCY REVIEW:

Public Works – “Recommend approval”

Cambria Community Services District – “No comment”

Cambria Fire – None received as of August 4, 2006.

LEGAL LOT STATUS:

The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Ryan Hostetter

## EXHIBIT A - FINDINGS

### *CEQA Exemption*

- A. The project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines Section 15303 because the project includes demolition of an existing structure.

### *Minor Use Permit*

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

### *Coastal Access*

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

### *Terrestrial Habitat*

- H. The project or use will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because tree removal has been minimized and if trees are removed or impacted they will be replaced.
- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements, because the proposed project has been designed to minimize tree removal and site disturbance.

- J. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access, and will not create significant adverse effects on the identified sensitive resource, because tree removal and site disturbance have been minimized and if pine trees are removed, they will be replaced on a two-to-one basis. Oak trees will be replaced on a four-to-one basis.
- K. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff, because, as conditioned, the project or use meets drainage and erosion control standards specified by the County Public Works Department.
- L. There will be no significant negative impact to the identified sensitive habitat and the project or use will be required to replace removed oaks and pines on a four-to-one basis and two-to-one basis respectively.
- M. The project or use will not significantly disrupt the habitat, because it is a demolition of an existing residence which does not include removal of trees or habitat.

## **EXHIBIT B - CONDITIONS OF APPROVAL**

### **Authorized Use**

1. This approval authorizes a request by **GAIL ROBINETTE** for a Minor Use Permit/ Coastal Development Permit to allow for the demolition of the existing single family residence. No new construction or vegetation removal is proposed on the property.
2. All development shall be consistent with the approved plans.

### **Conditions to be completed prior to issuance of a construction or grading permit**

#### ***Grading, Drainage, Sedimentation and Erosion Control***

3. If grading is to occur between October 15 and April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.
4. The applicant shall submit a drainage plan for review and approval by the County Public Works Department.

#### ***Fire Safety***

5. The applicant shall provide the county Department of Planning and Building with a fire safety plan approved by the Cambria Fire Department.

#### ***Landscape Plan***

6. The applicant shall submit for Planning Director review and approval, a Landscape Plan that provides for the planting of all open areas of the site disturbed by project activities with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. In addition, non-native, invasive, and water intensive (e.g. turf grass) landscaping shall be prohibited on the entire site.

### **Conditions applicable throughout project construction**

#### ***Archaeology***

7. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
  - A. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

- B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

**Conditions to be completed prior to occupancy or final building inspection /establishment of the use**

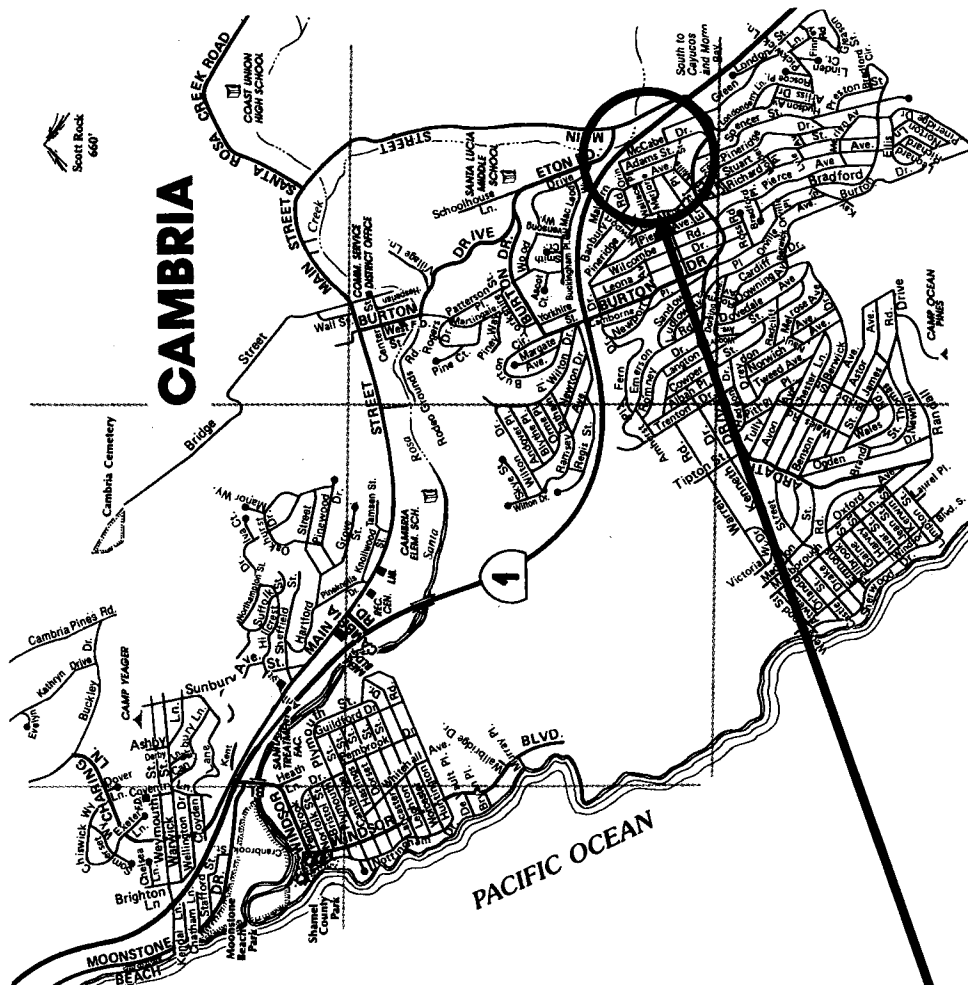
***Fire Safety***

8. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from Cambria Fire Department of all required fire/life safety measures.

***Miscellaneous***

9. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050. This permit is generally considered to be vested once a building permit has been issued and substantial site work has been completed. Substantial site work is defined (Section 23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').
10. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.

Planning Department Hearing  
Minor Use Permit DRC2006-00003/Robinette  
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**SITE**

**PROJECT**

Minor Use Permit  
Robinette DRC2006-00003



**EXHIBIT**

Vicinity Map



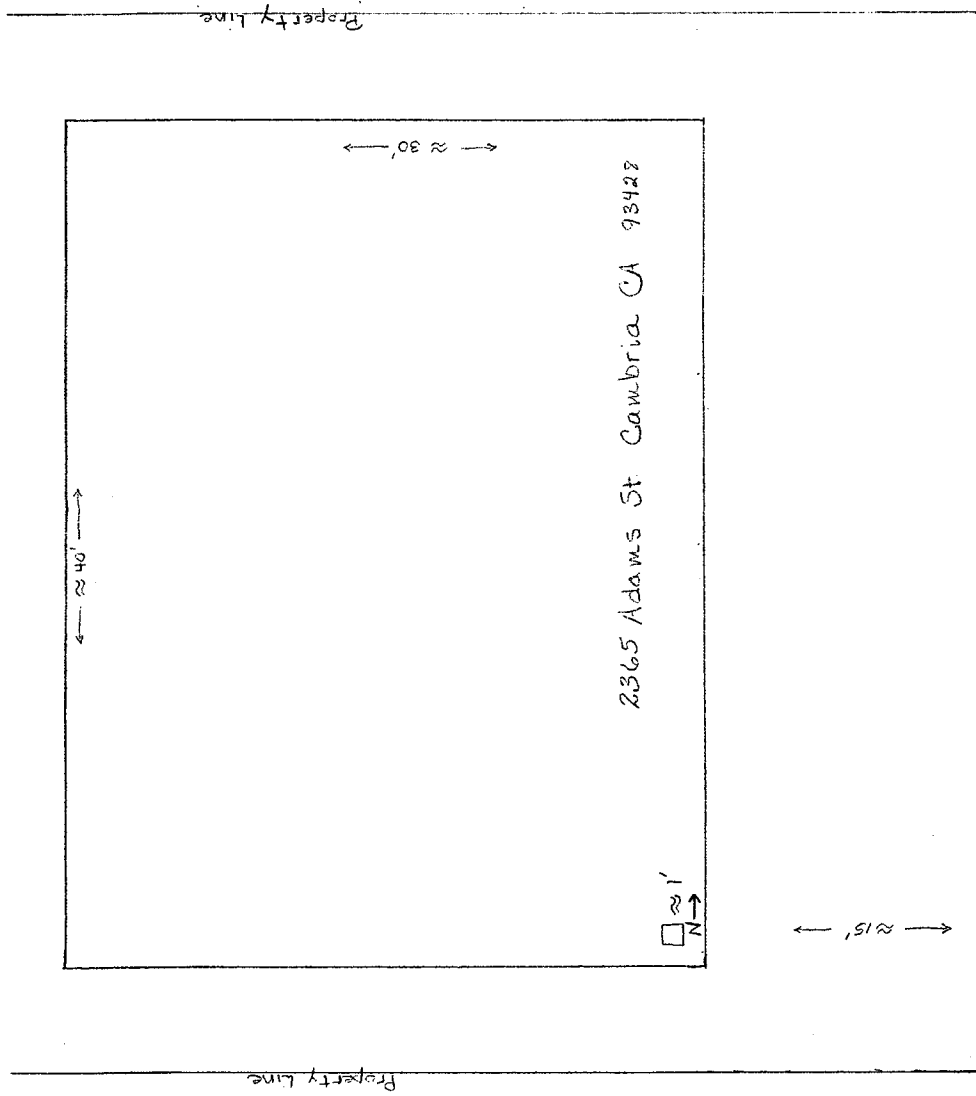
PROJECT

Minor Use Permit  
Robinette DRC2006-00003

EXHIBIT

Land Use Category





PROJECT

Minor Use Permit  
Robinette DRC2006-00003

EXHIBIT

Site Plan





**SITE**

EXHIBIT

Aerial Photograph



PROJECT

Minor Use Permit  
Robinette DRC2006-00003



PROJECT

Minor Use Permit  
Robinette DRC2006-00003

EXHIBIT

Photographs



